



UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

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In Re:

Anthony D. Caponegro

**Order Filed on March 13, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey**

Case No.: 16-25398

Chapter: 13

Adv. No.: N/A

Hearing Date: 3/20/2018 @ 10:00 a.m.

Judge: ABA

**ORDER TO APPROVE LOAN MODIFICATION WITH BAYVIEW LOAN
SERVICING, LLC**

The relief set forth on the following pages, numbered three (3) is hereby ORDERED.

DATED: March 13, 2018

A handwritten signature in black ink, appearing to read "ABA".

**Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court**

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Debtors: Anthony D. Caponegro

Case No: 16-25398/ABA

Caption of Order: Order to Approve Loan Modification of Debtors with Bayview Loan Servicing, LLC

Upon consideration of Anthony D. Caponegro's application for an order to approve a loan modification with Bayview Loan Servicing, LLC, and good cause appearing therefore, it is hereby

ORDERED that the Debtors are permitted to proceed with a loan modification Bayview Loan Servicing, LLC.

IT IS FURTHER ORDERED Communication and/or negotiations between debtors and mortgagees/mortgage servicers about loan modification shall not be deemed as violation of the automatic stay; and any such communication or negotiation shall not be used by either party against other in any subsequent litigation.

IT IS FURTHER ORDERED that in the event a loan modification is completed and pre-petition arrears are capitalized into the loan, secured creditor shall amend the arrearage portion of its proof of claim to reflect the amount already paid by the Chapter 13 Trustee within thirty (30) days of the completion of the loan modification; and

IT IS FURTHER ORDERED that the Chapter 13 Trustee shall suspend disbursements to secured creditor pending completion of the loan modification and all money that would otherwise be paid to the secured creditor be held until the claim is withdrawn or amended or the Trustee is notified by secured creditor that the modification was not consummated; and

IT IS FURTHER ORDERED that in the event the modification is not consummated; the secured creditor shall notify the Trustee and debtors' attorney of same. Any money that was held by the Trustee pending the completion of the modification shall then be paid to secured creditor; and

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Debtors: Anthony D. Caponegro

Case No: 16-25398/ABA

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IT IS FURTHER ORDERED that in the event the Proof of Claim is withdrawn or amends the arrearage portion the claim to zero (0), the Trustee may disburse funds being held pursuant to this Order to other creditors in accordance with the provisions of the confirmed plan; and

IT IS FURTHER ORDERED that Debtors shall file an Amended Schedule J and Modified Plan within fourteen (14) days of this Order.

IT IS FURTHER ORDERED that Debtors shall provide the Trustee with an executed copy of the Loan Agreement upon completion.

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Anthony D Caponegro
Christine C Caponegro
Debtors

Case No. 16-25398-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Mar 13, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 15, 2018.

db/jdb +Anthony D Caponegro, Christine C Caponegro, 5021 Fernwood Dr,
Egg Harbor Township, NJ 08234-9663

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 15, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 13, 2018 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor HSBC Bank USA, National Association as trustee on behalf of the holders of the OPTEMAC Asset-Backed Pass-Through Certificates, Series 2006-1, Midfirst Bank is the servicer dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
Richard James Tracy, III on behalf of Creditor BAYVIEW LOAN SERVICING LLC rtracy@schillerknapp.com, tshariff@schillerknapp.com;kcollins@schillerknapp.com;ahight@schillerknapp.com
Seymour Wasserstrum on behalf of Joint Debtor Christine C Caponegro mylawyer7@aol.com, ecf@seymourlaw.net
Seymour Wasserstrum on behalf of Debtor Anthony D Caponegro mylawyer7@aol.com, ecf@seymourlaw.net

TOTAL: 6